

Remarks

This Amendment is being enclosed with a Request for Continued Examination submitted concurrently herewith. This Amendment represents a submission fully responsive to the final Office Action mailed on November 27, 2002, as required under 37 CFR § 1.114.

Claims 1 and 11 have been amended, and claims 16 and 17 have been added. In view of the foregoing amendments, as well as the following remarks, Applicant respectfully submits that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,628,426 (Doyle et al.) in view of U.S. Patent No. 5,411,014 (Paul). Claim 1, as amended, recites applying a first porcelain enamel coating to the exterior of the article, then exposing the interior and exterior of the article to an anodizing acid solution to hard anodize the interior of the article, and finally applying a second porcelain enamel coating over the first porcelain enamel coating. The Examiner concedes that Doyle et al. does not teach applying a first coating of porcelain enamel to the exterior of the article. The Examiner contends that the invention is obvious because one skilled in the art would have been motivated to modify the method of Doyle et al. by applying the first coating of porcelain enamel to the exterior of the article, because this would have made the exterior visually pleasing to look at, as taught by Paul. The Examiner further contends that the applying step could be repeated to provide the second coating of porcelain enamel as a duplication of parts. Applicant respectfully disagrees for the reasons set forth below.

Doyle et al. discloses hard anodizing the interior and exterior of a cookware article, applying a non-stick material to the hard-anodized interior, and polishing the exterior. See column 5, lines 16 to 25. As recognized by the Examiner, Doyle et al. does not contemplate applying an enamel coating to a hard-anodized surface or hard-anodizing the cookware article after an enamel coating is applied to the exterior. As such, Doyle et al. cannot provide a motivation or suggestion to apply an enamel coating to the exterior either before or after the interior and exterior of the article are exposed to an anodizing acid solution.

Applicant has amended claim 1 to clarify that the entire article (interior and exterior) is exposed to an anodizing acid solution after the first enamel coating is applied to the exterior. The interior of the cookware article becomes hard-anodized. Due to the presence of the first enamel coating, the exterior is not hard anodized as the underlying metal is covered and protected by the first enamel coating. Instead, the anodizing acid solution severely degrades the first enamel coating. Therefore, under a reasonable construction of as-amended claim 1, the exterior of the article has an applied enamel coating, albeit degraded, and the interior of the article is hard anodized after the exposure to the anodizing acid solution.

Paul discloses applying an enamel coating to the exterior of a cookware article. However, Paul does not teach, disclose or suggest exposing the entire cookware article to an acid anodizing solution and then applying an enamel coating to the exterior. A person of ordinary skill in the art would recognize that an enamel coating will not successfully adhere if an attempt is made to apply the enamel coating to a hard-anodized

surface, as explained at page 3, lines 3-5 of Applicant's specification. Moreover, Paul does not teach, disclose or suggest applying an enamel coating to the exterior of the cookware article and then exposing the article to an acid anodizing solution. The enamel coating would be severely degraded by hard-anodizing such that, at the least, the appeal of the visual appearance is degraded. Paul also does not teach, disclose or suggest applying a second enamel coating over the first degraded enamel coating.

As such, Paul completely fails to appreciate the difficulties associated with applying an enamel coating to the exterior of a cookware article, either before or after the entire article is exposed to an acid anodizing solution for the purpose of hard-anodizing the interior. It follows that a person of ordinary skill in the art would not be motivated based upon the teachings of Paul to apply an enamel coating to the exterior of a cookware article either before or after exposing the exterior to an acid anodizing solution. As no motivation is present for making the suggested combination, the Examiner has failed to support a *prima facie* case of obviousness. For at least this reason, Applicant submits that claim 1, and claims 2-10 depending therefrom, are allowable and that the rejection of these claims should be withdrawn.

The Examiner contends that it would be obvious to apply a second coating of porcelain and enamel over the first coating, asserting that the concept of duplication is not patentable. The Examiner asserts that Doyle et al. teaches hard-anodizing the interior surface and coating with a non-stick material and then polishing the exterior surface. In rebuttal to the Examiner's contention, Applicant submits that applying two distinct enamel coatings to an exterior of a cookware article, separated temporally by exposure to an acid

anodizing solution that wets both the interior and exterior of the cookware article with a resulting hard-anodizing of only the interior as recited by claim 1, could not be considered to be a routine expedient.

Doyle et al. teaches the application of two totally different coatings to the interior and exterior of the cookware article. In contrast, Applicant's claim 1 recites a series of process steps which, when carried out in the claimed order, apply two coatings of the same material, namely enamel, to the exterior for realizing a cookware article having a hard-anodized interior and an enamel-coated exterior. Specifically, the first enamel coating is severely degraded by exposure to the anodizing acid solution and acts as a partially sacrificial material. The degraded first enamel coating is then used as a base for application of the second enamel coating. Absent the presence of the first enamel coating, the exterior of the cookware article would be hard-anodized by exposure to the anodizing acid solution and the second enamel coating could not adhere to the exterior. Applicant's claimed invention overcomes the difficulties associated with applying an enamel coating to a hard anodized surface, as explained above.

For at least these additional reasons, Applicant submits that claim 1, and claims 2-10 depending therefrom, are allowable and that the rejection of these claims should be withdrawn.

Claims 11 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Doyle et al. in view of Paul. Independent claim 11, and claim 13 depending therefrom, are allowable for at least the same reasons discussed above with respect to independent claim 1.

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Doyle et al. in view of Paul. Claim 12, which depends from claim 1, is allowable for at least the same reasons discussed above with respect to independent claim 1.

If there is any additional matter that may be resolved by telephone or fax, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicant does not believe that any fees are due in connection with this submission other than the three month extension fee. However, if such petition is due or any other fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,
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